

**COUNTY COUNCIL**

**OF**

**TALBOT COUNTY**

2021 Legislative Session, Legislative Day No.: March 23, 2021

Resolution No.: 299

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Pack, Ms. Price

**A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP REAL PROPERTY OWNED BY TALBOT COUNTY, MARYLAND LOCATED ON ST. MICHAELS ROAD (MARYLAND ROUTE 33), EASTON, MARYLAND 21601 AND SHOWN ON TALBOT COUNTY TAX MAP NO. 34, GRID 2 AS PARCEL 11 FROM UNPROGRAMMED TO "S-1" IMMEDIATE PRIORITY STATUS (*Repurposing Center*)**

By the Council: March 23, 2021

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 13, 2021 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: \_\_\_\_\_



Susan W. Moran, Secretary

**A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP REAL PROPERTY OWNED BY TALBOT COUNTY, MARYLAND LOCATED ON ST. MICHAELS ROAD (MARYLAND ROUTE 33), EASTON, MARYLAND 21601 AND SHOWN ON TALBOT COUNTY TAX MAP NO. 34, GRID 2 AS PARCEL 11 FROM UNPROGRAMMED TO "S-1" IMMEDIATE PRIORITY STATUS (*Repurposing Center*)**

**WHEREAS**, pursuant to a deed dated September 22, 1986 and recorded among the Land Records of Talbot County, Maryland at Liber M.A.S. No. 620, folio 952, the County Council of Talbot County, Maryland (the "County Council") is the fee simple owner of certain real property shown on Talbot County Tax Map No. 34, Grid 2 as Parcel 11, consisting of 104.7 acres of land, more or less, which it acquired for the disposal of dredged material (the "Property"); and

**WHEREAS**, the County Council has initiated efforts to create the Talbot County Repurposing Facility (the "Repurposing Facility") on the Property for the recycling of road materials, concrete from construction debris, wood debris from fallen and diseased trees, and brush associated with storm events; and

**WHEREAS**, the Repurposing Facility requires sewer to support the office and operations being completed on the site; and

**WHEREAS**, the extension of sewer to the Property for the use and benefit of the Repurposing Facility will connect to the Region II (St. Michaels) Wastewater System; and

**WHEREAS**, the County Engineer has evaluated and confirmed the feasibility of extending public sewer to the Property for the use and benefit of the Repurposing Facility and requested that the Talbot County Office of Law prepare this amendment to the Talbot County Comprehensive Water and Sewer Plan the ("CWSP") to facilitate extension of public sewer thereto for such purposes; and

**WHEREAS**, in accordance with the requirements of Md. Code Ann., Environment § 9-506(a)(1), the proposed amendment has been submitted to the Talbot County Planning Commission and the Talbot County Public Works Advisory Board for review for consistency with planning programs for the area; and

**WHEREAS**, before the County Council may adopt this proposed amendment, the Talbot County Planning Commission must certify that the same is consistent with the Talbot County Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND**, that the Talbot County Comprehensive Water and Sewer Plan shall be and is hereby amended as follows:

**SECTION ONE:** The above recitals are hereby incorporated as if fully set forth herein.

**SECTION TWO:** Subject to the terms and conditions herein, the CWSP is amended to reclassify and remap the property on St. Michaels Road, Easton, Maryland 21601, shown on Talbot County Tax Map No. 34, Grid 2 as Parcel 11, and consisting of one lot of record from the current classification of “Unprogrammed” to “S-1” immediate priority status, as shown and described on a certain worksheet entitled “Comprehensive Water and Sewer Plan: Repurposing Facility”, prepared by the Talbot County Department of Public Works, dated March 18, 2021, and attached hereto as Exhibit “A”.

**SECTION THREE:** Sewer service for the Property shall be from the Region II Wastewater Treatment Plant in St. Michaels. The proposed sewer extension shall be constructed in accordance with the current Region II Sewer Service Policy and design guidelines.

**SECTION FOUR:** The proposed use shall be office/retail with an allocation of 1.6 equivalent dwelling units ("EDUs") of sewer capacity as presented in the Talbot County Sewer Billing Ordinance, Bill 126. The peak flow sewer allocation to the Property shall be limited to 125 gallons per day per EDU, and remaining capacity for the Region II plant shall be reduced accordingly. In addition, the allocation of EDUs has been provided in Table 1 that reviews the capacity of the Royal Oak Pump Station No. 1 based on EDUs.

<b>Table 3 – Royal Oak Pump Station No. 1 Capacity Review Based on EDUs</b>		
Description	Number of EDUs	Comments
Design Capacity	1,313.28 EDUs	Safety Factor: 1,440.00 EDUs
Existing Users	690.95 EDUs	690.95 EDUs
Remaining Capacity	622.33 EDUs	Safety Factor: 749.05 EDUs
Resolution 235	291.00 EDUs	EDUs Currently not served by Sewer
Resolution 268	8.00 EDUs	Milesview Village Condominiums
Resolution 283	3.00 EDUs	McMiles Subdivision
<i>Resolution 293</i>	<i>3.00 EDUs</i>	<i>Ferry Bridge Road – Pending Approval</i>
Resolution	1.60 EDUs	Repurposing Facility
Remaining Capacity	315.73 EDUs	Safety Factor: 424.12 EDUs

**SECTION FIVE:** Connection to the force main shall not be used to accommodate further subdivision of the Property existing when this Resolution is adopted without further amendment of the CWSP duly approved by the County Council.

**SECTION SIX:** Talbot County, Maryland shall be responsible for contracting and paying for all required permits, easements, construction work, and all benefit and connection charges in accordance with a Public Works Agreement ("PWA") approved by the Department of Public Works. The PWA shall run with and bind the Property, and shall be filed among the Land Records of Talbot County, Maryland within 60 days from the date of approval of this Resolution. The PWA may provide for recoupment of a portion of the construction costs from other lots served by the force main that may be authorized to connect to it in the future.

**SECTION SEVEN:** Talbot County, Maryland shall be responsible for paying a connection fee of Nineteen Thousand Two Hundred Dollars (\$19,200.00) for the Property to the Talbot County Sanitary District (the "Sanitary District") before commencing construction to connect the Property to the force main. The connection shall be subject to periodic charges, tariffs, and policies as may be adopted from time to time.

**SECTION EIGHT:** Talbot County, Maryland shall be solely responsible for all costs incurred for design, engineering, construction, inspection, and testing that may be reasonably required, as determined by the County Engineer, to connect the Property to the force main, including, without limitation, any material, pumps, saddles, or other equipment, and for all costs incurred for ongoing maintenance and repair.

**SECTION NINE:** No sewer service shall be available to any area beyond the existing Property to be served. No other properties, lots, or parcels, including any future reconfiguration or recombination of the Property, shall be entitled to service or capacity, unless and until the CWSP is amended to permit such service.

**SECTION TEN:** The design shall be consistent with reasonable design standards for similar projects, shall be subject to review and approval by the County Engineer, and shall include design features, components, and materials as the County Engineer or his designee may reasonably require, including the ability to isolate the connection.

**SECTION ELEVEN:** Talbot County, Maryland shall be solely responsible for all remediation, mitigation, damages, charges, fines, penalties, or other costs imposed, levied, or assessed at any time by any federal, State, or local enforcement agency for any environmental damage or violation of law caused by or resulting from the connection to the force main.

**SECTION TWELVE:** This Resolution shall not modify, excuse, or supersede any other requirements for ongoing compliance with all applicable federal, State, and local statutes, ordinances, rules, or regulations, including without limitation all conditions and requirements of all permits and approvals necessary for connection to the force main.

**BE IT FURTHER RESOLVED,** that this Resolution shall take effect immediately upon the date of its adoption.

Comprehensive Water and Sewer Plan: Repurposing Facility

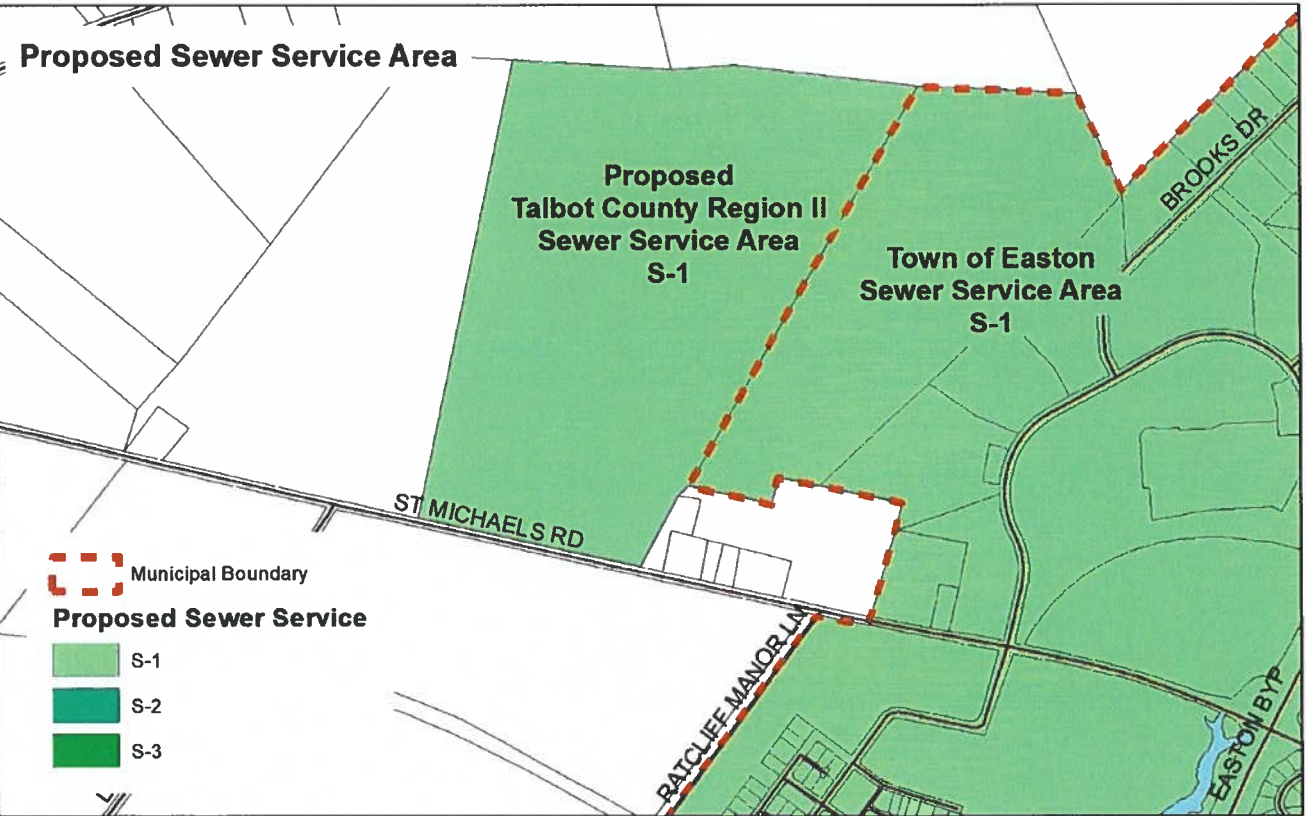
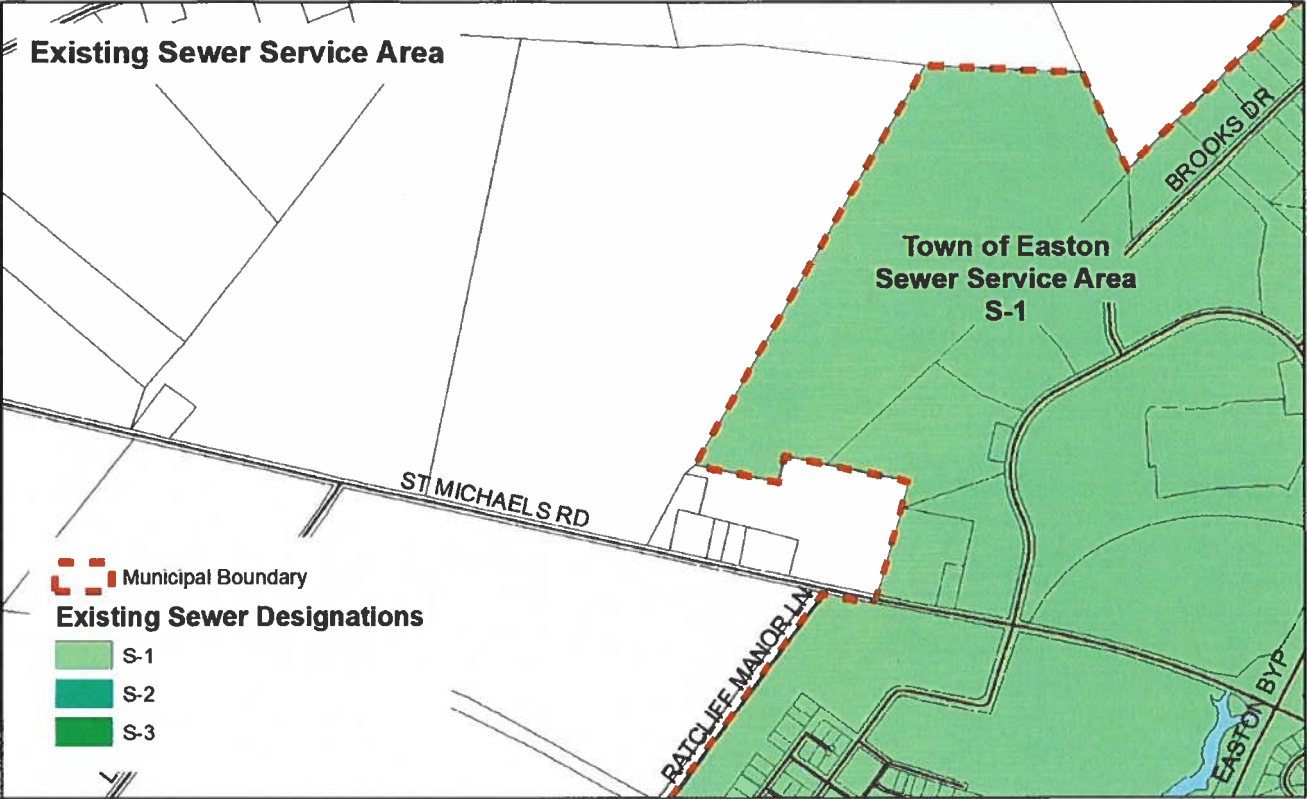


Exhibit A

## **PUBLIC HEARING**

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. - \_\_\_\_\_ having been published, a public hearing was held on Tuesday, \_\_\_\_\_, 2021 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

## **BY THE COUNCIL**

Read the second time:

Enacted:

By Order: \_\_\_\_\_  
Susan W. Moran, Secretary

Callahan -

Divilio -

Leshner -

Price -

Pack -

**Effective Date:**